

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION
USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 09/927,424, filed on 8/9/01,
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including material information which became available between the filing date of the prior application and the National or PCT International filing date of the continuation-in-part application, if applicable; and

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one Edward Shipwash Date: 9 NOV 01

Signature: [Signature] Citizen of: US

Inventor two _____ Date: _____

Signature: _____ Citizen of: _____

Inventor three _____ Date: _____

Signature: _____ Citizen of: _____

Inventor four _____ Date: _____

Signature: _____ Citizen of: _____

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

Please type a plus sign (+) inside this box → ☐

PTO/SB/81 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT**

Application Number	09/927,424
Filing Date	8/9/01
First Named Inventor	Edward Shipwash
Title	METHOD AND SYSTEM FOR RAPID BIOMOLECULAR RECOGNITION OF AMINO ACIDS AND PROTEIN SEQUENCING
Group Art Unit	1645
Examiner Name	
Attorney Docket Number	021059000110

I hereby appoint:

☒ Practitioners at Customer Number

20350

Place Customer
Number Bar Code
Label here

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

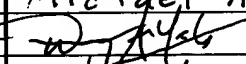
I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Michael A. Wang President / CEO Nano BioDynamics
Signature	
Date	11/9/01

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any Comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Edward ShipwashApplication No./Patent No.: 09/927,424Filed/Issue Date: 8/9/01Entitled: METHOD AND SYSTEM FOR RAPID BIOMOLECULAR RECOGNITION OF AMINO ACIDS AND PROTEIN SEQUENCINGNanoBioDynamics, Incorporateda corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

9 Nov 01

Date



Signature

Edward Shipwash Chairman

Typed or printed name

NanoBioDynamics

Title



COPY

Attorney Docket No. 021059-000110US

Form PTO-1595

(Rev. 03-01)

OMB No. 0651-0027 (exp. 5/31/2002)

**Recordation Form Cover Sheet
PATENTS ONLY**U.S. Department of Commerce
U.S. Patent and Trademark Office

Tab settings ⇨ ⇨ ⇨ ▼

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

Edward Shipwash

Additional name(s) of conveying parties attached? ☐ Yes ☒ No**3. Nature of conveyance:**☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other: _____Execution Date: November 9, 2001**2. Name and address of receiving party(ies)**Name: NanoBioDynamics, Incorporated

Internal Address: _____

Street Address: 1565 Greensboro CourtCity: San Jose State: CA ZIP: 95131-3323Additional names and addresses attached? ☐ Yes ☒ No**4. Application number(s) or patent number(s).**

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No(s): 09/927,424

B. Patent No(s): _____

Additional numbers attached? ☐ Yes ☒ No**5. Name and address of party to whom correspondence concerning document should be mailed:**Name: Frank Mycroft
TOWNSEND AND TOWNSEND AND CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200**6. Total number of applications and patents involved 1**

7. Total fee (37 CFR 3.41): _____ \$40.00

☐ Enclosed☒ Authorized to be charged to deposit account8. Deposit account number: 20-1430

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE**9. Statement and signature.***To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.*Frank Mycroft
Name of Person Signing
Atty. Reg. No. 46,946
SignatureNovember 16, 2001
Date

Total number of pages including cover sheet, attachments and document 3

Mail documents to be recorded with required cover to:
Commissioner of Patents and Trademarks, Box Assignments
Washington, D.C. 20231

ASSIGNMENT OF PATENT APPLICATION

SOLE

WHEREAS, Edward Shipwash, of 2875 Greenwich Street, #204, San Francisco, CA 94129; hereinafter referred to as "Assignor," is the inventor of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: METHOD AND SYSTEM FOR RAPID BIOMOLECULAR
 RECOGNITION OF AMINO ACIDS AND PROTEIN
 SEQUENCING

Date(s) of execution of Declaration:

Filing Date: 8/9/01

Application No.: 09/927,424; and

WHEREAS, NanoBioDynamics, Incorporated, located at 1565 Greensboro Court, San Jose, CA 95131-3323, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignor hereby authorizes and requests Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8th Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignor has signed his/her name on the date indicated.

Dated: 9 Nov 01

Edward Shipwash

STATE OF CALIFORNIA)

) ss.

COUNTY OF)

On November 9, 2001, before me, Jennifer K. Hardin,
personally appeared Edward Shipwash, personally known to me (or proved to me on the
basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and
acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on
the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Jennifer K. Hardin
NOTARY PUBLIC

My Commission Expires: May 20, 2005

SF 1255270 v1

